

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 AS-01 CIAE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 VO-03

SCA-01 ACDA-05 TRSE-00 SAJ-01 OMB-01 /071 W

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R 171507Z NOV 75

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC 1364

INFO AMCONSUL ADANA

AMCONSUL ISTANBUL

AMCONSUL IZMIR

SECDEF WASHDC

USDOCOSOUTH NAPLES

CINCUSNAVEUR LONDON

USCINCUEP

CINCUSAFE

USNMR SHAPE

C O N F I D E N T I A L ANKARA 8496

E.O. 11652: GDS

TAGS: MARR, PFOR, MOPS, TU

SUBJ: STATUS OF RESTRICTIONS OF U.S. MILITARY ACTIVITIES

REF: ANKARA 6448 DTG 191723Z AUG 75

1. SUMMARY: WITH THE HELP OF HIGHER LEVELS OF MINISTRY OF FOREIGN AFFAIRS AND TURKISH GENERAL STAFF WE HAVE WITHIN PAST FEW DAYS SUCCEEDED IN REMOVING SOME TROUBLE-SOME IMPEDIMENTS TO OUR MILITARY SUPPORT OPERATIONS HERE. THESE IMPROVEMENTS DO NOT RPT NOT REPRESENT BASIC MODIFICATION OF "PROVISIONAL STATUS" IMPOSED UPON US ON JULY 25 BUT RATHER THE REVERSAL OF OVERLY STRICT AND ARBITRARY INTERPRETATIONS OF PROVISIONAL STATUS PROVISIONS MADE BY CERTAIN MINISTRIES AND LOCAL OFFICIALS. IN MEANTIME, IMPOSITION OF NEW VISA REQUIREMENTS BY LOCAL AUTHORITIES IN KARAMURSEL
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INDICATES THAT SIMILAR PROBLEMS WILL CONTINUE TO

OCCUR. END SUMMARY.

2. FOREIGN MINISTRY OFFICIALS HAVE ORALLY CONFIRMED WORD EARLIER RECEIVED FROM TGS THAT PERSONNEL ASSIGNED TO JUSMMAT WILL BE ISSUED IDENTIFICATION CARDS INDICATING THAT THEY ENJOY NATO/SOFA PRIVILEGES. THIS TERMINATES IN OUR FAVOR A DISAGREEMENT BETWEEN MFA AND CERTAIN TGS LEGAL AUTHORITIES OVER STATUS OF JUSMMAT.

3. MFA HAS ALSO INFORMALLY TOLD US THAT FINANCE MINISTRY HAS SENT WRITTEN INSTRUCTIONS TO VEHICLE REGISTRATION OFFICES TO RESUME REGISTRATION OF U.S. MILITARY PERSONNEL'S PRIVATE AUTOMOBILES WITHOUT REQUIRING PAYMENT OF TAXES. THIS REPRESENTS MFA VICTORY OVER FINANCE AND CUSTOMS MINISTRIES, WHICH HAD FOR MANY WEEKS MAINTAINED THAT INVALIDITY OF 1954 TAX RELIEF AGREEMENT MADE U.S. PERSONNEL LIABLE TO VEHICLE TAX.

4. AFTER VERY STIFF INTERVENTIONS BY MFA AND TGS, CUSTOMS AUTHORITIES IN ISTANBUL AND ISKENDERUN HAVE FINALLY BEGUN TO PROCESS SUBSISTENCE SHIPMENTS WITHOUT REQUIRING PROOF OF PRIOR IMPORT APPROVAL BY ANKARA AUTHORITIES.

5. WE HAVE JUST BEEN TOLD BY MFA THAT, UPON MFA RECOMMENDATION, PRIME MINISTER'S OFFICE HAS APPROVED TEMPORARY RESUMPTION OF APO PACKAGE SERVICE FOR CHRISTMAS PERIOD. DETAILS WILL BE REPORTED SEPTEL.

6. AS REPORTED ANKARA'S 8425 (DTG 141000Z NOV 75), GOT APPROVED SIXTH FLEET PORT VISIT AT IZMIR FOR FLAGSHIP USS LITTLE ROCK. THIS IS FIRST APPROVAL SINCE FEBRUARY WHEN WE WERE ASKED NOT TO SUBMIT REQUESTS FOR PORT VISITS.

7. WHEN COURT IN KARAMURSEL REFUSED TO CONSIDER NATO DUTY STATUS PROVISIONS IN TRAFFIC ACCIDENT CASE AND SAID THAT IN ANY CASE COURT WOULD DETERMINE DUTY STATUS, MFA INTERVENED WITH MINISTRY OF JUSTICE, CONFIDENTIAL

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ARGUING APPLICABILITY OF NATO/SOFA. KARAMURSEL COURT SUBSEQUENTLY FOLLOWED ESTABLISHED PROCEDURES FOR DETERMINATION OF DUTY STATUS, AND CHIEF JUSMMAT ISSUED DUTY CERTIFICATE.

8. LOCAL OFFICIALS AT KARAMURSEL SAID THAT VISAS WOULD HENCEFORTH BE REQUIRED FOR ALL DEPENDENTS ENTERING TURKEY. MFA POSITION IS THAT VISAS SHOULD NOT RPT NOT

BE REQUIRED FOR DEPENDENTS OF PERSONNEL CLEARLY COVERED BY NATO/SOFA AND IS TAKING MATTER UP WITH MINISTRY OF INTERIOR. MFA MAINTAINS, HOWEVER, THE PERSONS PREVIOUSLY COVERED BY NATO/SOFA IMPLEMENTATION AND EXTENSION AGREEMENTS WOULD BE REQUIRED TO HAVE VISAS. THIS INCIDENT ILLUSTRATES CONTINUING TENDENCY OF LOCAL OFFICIALS TO IMPOSE NEW REQUIREMENTS BEYOND THOSE SPECIFICALLY SET FORTH BY CENTRAL GOVERNMENT.

9. RECENT IMPROVEMENTS MENTIONED ABOVE HAVE BEEN REGISTERED ONLY AFTER REPEATED REPRESENTATIONS BY JUSMMAT AND EMBASSY. THERE ARE SOME INDICATIONS, HOWEVER, THAT SENIOR TGS AND MFA OFFICIALS ARE BECOMING INCREASINGLY APPRECIATIVE OF THE PROBLEMS CAUSED US BY OTHER ECHELONS OF THE BUREAUCRACY AND MORE WILLING TO COME TO OUR ASSISTANCE.
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